

Jack Meyerson, Esq. (No. 16405)
 Matthew Miller, Esq. (No. 309791)
 MEYERSON & MILLER
 1600 Market Street, Suite 1305
 Philadelphia, PA 19103
 (215) 972-1376
jmeyerson@meyersonlawfirm.com
mmiller@meyersonlawfirm.com

**IN THE UNITED STATES DISTRICT COURT FOR
 THE EASTERN DISTRICT OF PENNSYLVANIA**

RAJ KATARIA, HEENA BHANUSHALI, and
 FIVE STAR CIGAR CORPORATION,

Plaintiffs,

v.

SYED BOKHARI, SHALINDER NICHANI,
 AMIR WAQAR AHMED, MOHAMMAD
 ILLAHI, and NORTHEASTERN WHOLESALE
 ENTERPRISES, LLC,

Defendants, and,

FIVE STAR CIGAR CORPORATION,

Nominal Defendant.

Civil Action

No. 2:25-cv-01137

JURY TRIAL DEMANDED

**PLAINTIFFS' MOTION FOR PRELIMINARY
 INJUNCTIVE RELIEF**

Plaintiffs Raj Kataria (“Raj”), Heena Bhanushali (“Heena”), and Five Star Corporation (“Five Star”) by and through undersigned counsel, hereby move for Preliminary Injunctive Relief in the form of an Order enjoining Defendants from dissipating, transferring, spending, or otherwise disposing of particular funds held by Defendant Northeastern Wholesale Enterprises, LLC (“Northeastern”). The specific funds at issue in this Motion are the proceeds of a fraudulent scheme and are the subject of Plaintiffs’ claim for Unjust Enrichment. Preliminary injunctive

relief is necessary to prevent Defendants from being unjustly enriched and to ensure that the fruits of Defendants' fraudulent scheme will remain available to be held in constructive trust for Plaintiffs. In support of this Motion, Plaintiffs aver as follows:

1. This action involves direct and derivative claims that arise from a fraudulent scheme perpetrated by Defendants Syed Imran Bokhari ("Syed") and Shalinder Nichani ("Shelly"), along with their co-conspirators, Defendants Amir Waqar Ahmed ("Amir") and Mohammad Illahi ("Mohammad"), whereby they induced Plaintiffs Raj Kataria ("Raj") and Heena Bhanushali ("Heena") to invest over \$600,000 toward the creation of a new corporation in justifiable reliance on a series of fraudulent misrepresentations. The new corporation, Plaintiff Five Star, has been utilized by Defendants Syed and Shelly to obtain free or discounted inventory for their separately owned business, Defendant Northeastern, and to avoid paying taxes to the State of Connecticut.

2. Plaintiffs initiated this litigation on March 3, 2025 by filing a Complaint stating claims for (1) Equitable Accounting, (2) Conversion (on behalf of Five Star), (3) Conversion (on behalf of Raj and Heena), (4) Fraud, (5) Minority Shareholder Oppression, (6) Breach of Fiduciary Duty, (7) Civil Conspiracy, and (8) Unjust Enrichment. *See Exhibit A*, Complaint.

3. Plaintiffs incorporate by reference the factual averments of the Complaint as though the same were set forth herein.

4. The Complaint describes how Defendants Syed and Shelly induced Plaintiffs to make investments in Five Star through Defendant entity Northeastern, which is separately and independently owned and operated by Syed and Shelly, and how Syed and Shelly have abused their control over Five Star by diverting funds, merchandise, and opportunities to Northeastern without adequate consideration.

5. In an effort to prevent Plaintiffs from understanding the full extent to which they have been operating Five Star for the benefit of Northeastern, Defendants have installed Northeastern employees at the Five Star warehouse and instructed them to destroy or alter receipts and invoices and to avoid keeping accurate records of transactions with third party manufacturers and Northeastern. *See Exhibit B*, Affidavit of Raj Kataria.

6. Through this Motion, Plaintiffs seek to preserve the funds that they gave to Northeastern and Defendant Syed in reliance on Defendants' misrepresentations, along with the funds that Defendants transferred from Five Star to Northeastern.

7. Plaintiffs' monetary investments in Five Star were made as follows:

June 21, 2024	Plaintiff Heena	\$100,000	Wired to Northeastern
June 21, 2024	Plaintiff Heena	\$100,000	Cash to Deft. Syed
August 26, 2024	Plaintiff Heena	\$100,000	Wired to Northeastern
October 28, 2024	Plaintiff Heena	\$100,000	Wired to Five Star
November 6, 2024	Plaintiff Heena	\$100,000	Wired to Five Star

See Exhibit C, Affidavit of Henna Bhanushali.

8. The first \$300,000 of Plaintiffs' invested funds was delivered directly to Defendants Northeastern and Syed based on Defendants' misrepresentation that these funds would be used solely for the benefit of Five Star but had to be deposited into the Northeastern account because deposits of this magnitude into a newly opened account for Five Star would raise "red flags" with the bank.

9. Plaintiffs are aware that Defendant Syed executed the following payments, totaling \$1,006,000, from Five Star to Northeastern without creating or retaining invoices or any other reliable record of why the payments were made:

August 27, 2024	Five Star	\$225,000	Check to Northeastern
October 25, 2024	Five Star	\$386,000	Check to Northeastern
October 29, 2024	Five Star	\$185,000	Check to Northeastern
November 6, 2024	Five Star	\$210,000	Check to Northeastern

See Exhibit B, Affidavit of Raj Kataria.

10. In the absence of preliminary injunctive relief, Plaintiffs will likely suffer irreparable harm due to Defendants' control over the Five Star warehouse, operations, and books and records, which enables them to dissipate funds and manipulate or destroy the evidence necessary to calculate the damage they have caused to Plaintiffs.

11. Because these funds were fraudulently obtained, and are held by Northeastern, an entity permeated and funded by fraud, there is no assurance that these funds will still be available at the conclusion of this litigation.

WHEREFORE, for the reasons set forth in the accompanying Brief, Plaintiffs' Motion for Preliminary Injunctive Relief should be granted along with the entry of the Plaintiffs' proposed Order.

Respectfully submitted,

/s/ Jack Meyerson
 Jack Meyerson, Esq.
 Matthew Miller, Esq.
 MEYERSON & MILLER
 1600 Market Street, Suite 1305
 Philadelphia, PA 19103